



Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

Our ref: DEV2018/919/3

28 September 2018

Economic Development Queensland
Att: Mr Kalon Harding
GPO Box 2202
BRISBANE QLD 4001

Via email: Kalon.harding@dsdmip.qld.gov.au

Dear Kalon

SECTION 99 CHANGE TO A PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT PERMIT FOR RECONFIGURING A LOT – 2 LOTS INTO 61 RESIDENTIAL LOTS AND 1 PARK LOT AT RIVEREDGE BOULEVARD, DARTER STREET AND HOLYOAK AVENUE, OONONBA DESCRIBED AS LOT 9000 ON SP264450 AND LOT 9001 ON SP286569

On 28 September 2018 the Minister for Economic Development Queensland (MEDQ) decided to grant part of the amendment application applied for, subject to PDA development conditions set out in this PDA decision notice.

The PDA decision notice and approved plans/documents can also be viewed in the MEDQ Development Approvals Register via the Department website www.dsdmip.qld.gov.au/pda-da-applications.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Jennifer Davison on 3452 7127.

Yours sincerely

Beatriz Gomez
**Director
Development Assessment
Economic Development Queensland**

Minister for Economic Development
Queensland
GPO Box 2202
Brisbane Queensland 4001 Australia
Website www.edq.qld.gov.au
ABN 76 590 288 697

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Oonoonba Priority Development Area	
Site address	Riveredge Boulevard, Darter Street and Holyoak Avenue, Oonoonba	
Lot on plan description	Lot number	Plan description
	9000	SP264450
	9001	SP286569
PDA development application details		
DEV reference number	DEV2018/919	
'Properly made' date	13 September 2018	
Type of application	☐ New development involving: ☐ Material change of use ☐ Preliminary approval ☐ Development permit ☐ Reconfiguring a lot ☐ Preliminary approval ☐ Development permit ☐ Operational work ☐ Preliminary approval ☐ Development permit ☒ Changing a PDA development approval ☐ Extending the currency period of a PDA approval	
Description of proposal applied for	Reconfiguring a Lot – 2 Lots into 61 Residential Lots and 1 Park Lot	

PDA development approval details

Decision of the MEDQ	<i>The MEDQ has decided to grant part of the application to change the PDA development approval, subject to PDA development conditions forming part of this decision notice.</i> <i>The approved changes are summarised as follows:</i> ▪ Minor amendments to the PoD Plans ▪ Fixing of typographical errors and confusing provisions in the PoD design provisions ▪ Reduction of setbacks from 1.0m to 0.0m on lots backing onto laneways
Original Decision date	25 July 2018
Change to approval date	28 September 2018
Currency period	6 years from the original Decision Date

Plans and documents

The plans and documents approved by the MEDQ and referred to in the PDA development conditions concerning the PDA development approval are detailed below.

Approved plans and documents		Number (if applicable)	Date (if applicable)
1.	Proposed Plan of Development Stage 11, prepared by Brazier Motti	29060/539 R	17 th September 2018, and as Amended in Red on 25 September 2018
Plans and documents previously approved on 25 July 2018		Number (if applicable)	Date (if applicable)
2.	Proposed Reconfiguration Stage 11, prepared by Brazier Motti	29060/540 G	19th June 2018
3.	Stage 11 On Street Parking Plan, prepared by Brazier Motti	29060/541 E	18th April 2018
4.	Proposed Plan of Development Stage 12b, prepared by Brazier Motti	29060/638 H	5th July 2018 and as amended in Red on 18 July 2018
5.	Proposed Reconfiguration Stage 12b, prepared by Brazier Motti	29060/639 C	8th June 2018
6.	Stage 12b On Street Parking Plan, prepared by Brazier Motti	29060/640 E	8th June 2018
7.	Typical Road Cross Sections prepared by Northern Consulting	EDQ0000/M06 issue P3	29/11/17
8.	Typical Road Cross Sections prepared by Northern Consulting	EDQ0000/M07 issue P3	29/11/17
9.	Water Supply and Wastewater Master Planning Report prepared by Calibre Consulting	15-000745-02B Issue B	01/03/16
10.	Updated Stormwater Quality Management Plan prepared by DesignFlow	V03	15/06/16

Supporting plans and documents		Number (if applicable)	Date (if applicable)
11.	Master Layout Plan 1 of 4 prepared by Northern Consulting	EDQ0000/M02 Issue P4	11/12/2017
12.	Master Layout Plan 2 of 4 prepared by Northern Consulting	EDQ0000/M03 Issue P4	11/12/2017

PREAMBLE

For the purpose of interpreting this PDA Development Approval, including the PDA Development Conditions, the following applies:

Compliance assessment

Where a condition of this PDA Development Approval requires compliance assessment, compliance assessment is required in accordance with the following:

- a) The applicant must:
 - i. pay to MEDQ at the time of submission the relevant fee for compliance assessment, including any third party peer review costs which will be charged on a 100% cost recovery basis. The compliance assessment fees are set out in the MEDQ's development assessment fee schedule (as amended from time to time).
 - ii. submit to MEDQ a duly completed compliance assessment form.
 - iii. submit to MEDQ plans/supporting information as required under the relevant condition of approval.
- b) Compliance assessment and endorsement by EDQ Development Assessment, DSDMIP is required prior to any work commencing.
- c) Compliance assessment and endorsement can be repeated where a different design or solution, to that already endorsed, is sought.
- d) The process and timeframes that apply to compliance assessment are as follows:
 - i. the applicant liaises with EDQ Development Assessment, DSDMIP to determine the relevant plans/supporting information required to be submitted.
 - ii. the applicant submits plans/supporting information as required under the relevant condition of approval for compliance assessment.
 - iii. **within 20 business days** – EDQ Development Assessment, DSDMIP assesses the plans/supporting information and:
 1. if satisfied with the plans/supporting information as submitted – endorses the plans/supporting information and the condition of approval (or element of the condition) is determined to have been met; or
 2. if not satisfied with the plans/supporting information as submitted – notifies the applicant accordingly

- iv. if the applicant is notified under iii.2. above, revised plans/supporting information are to be re-submitted to EDQ Development Assessment, DSDMIP **within 20 business days** from the date of the notice.
- v. **within 20 business days** – EDQ Development Assessment, DSDMIP assesses the revised plans/supporting information and:
 - 1. if satisfied with the revised plans/supporting information – endorses the revised plans/supporting information and the condition of approval (or element of the condition) is determined to have been met; or
 - 2. if not satisfied with the revised plans/supporting information as submitted – notifies the applicant accordingly.
- vi. if EDQ Development Assessment, DSDMIP is not satisfied that compliance has been achieved within **20 business days** – repeat steps iv. and v. above. If either party is not satisfied by the outcome of this process, that party can elect to enter into a mediation process with an independent mediator agreed to by both parties.

Despite note vi. above, the condition of approval (or element of the condition) is determined to have been met only when EDQ Development Assessment, DSDMIP endorses relevant plans/supporting information.

ABBREVIATIONS AND DEFINITIONS

For the purposes of interpreting the PDA Development Conditions, the following is a list of abbreviations utilised:

1. **Certification Procedures Manual** means the document titled *Certification Procedures Manual*, prepared by The Department of Infrastructure, Local Government and Planning, dated 16 October 2017 (as amended from time to time).
2. **Contributed Asset**, in accordance with the Certification Procedures Manual, means an asset constructed under a PDA development approval or Infrastructure Agreement that will become the responsibility of an External Authority. For the purposes of operational works for a Contributed Asset the following meanings apply:
 - a) **External Authority** means a public-sector entity external to the MEDQ;
 - b) **Parkland** means carrying out operational works related to the provision of parkland infrastructure
 - c) **Roadworks** means carrying out any operational works within existing and proposed road, to a depth of 1.5m measured from the top of kerb, and includes streetscape works;
 - d) **Sewer Works** means carrying out any operational works related to the provision of waste water infrastructure;
 - e) **Streetscape Works** means carrying out any operational works within the footpath of a road related to landscape treatments, including footpath surface treatments, street furniture, street lighting and street trees;
 - f) **Stormwater Works** means carrying out any operational works related to the provision of stormwater infrastructure; and
 - g) **Water Works** means carrying out any operational works related to the provision of water infrastructure.
3. **Council** means Townsville City Council.

4. **DSDMIP** means the Department of State Development, Manufacturing, Infrastructure and Planning.
5. **EDQ** means Economic Development Queensland.
6. **IFF** means the Infrastructure Funding Framework, prepared by the Department of Infrastructure, Local Government and Planning, dated July 2018.
7. **MEDQ** means the Minister for Economic Development Queensland.
8. **PDA** means Priority Development Area.
9. **RPEQ** means Registered Professional Engineer of Queensland.

PDA Development Conditions – Reconfiguring a Lot and Plan of Development		
No.	Condition	Timing
General		
1.	Carry out the Approved Development Carry out the approved development generally in accordance with the approved plans and documents.	Prior to survey plan endorsement for each stage.
2.	Certification of Operational Works All operational works, for contributed assets, undertaken in accordance with this approval are to comply with all requirements of and fulfil all responsibilities outlined in the <i>Certification Procedures Manual</i> .	As required by the <i>Certification Procedures Manual</i>
3.	Street Naming Submit to EDQ Development Assessment, DSDMIP a schedule of street names approved by Council.	Prior to survey plan endorsement for each stage
4.	Entry walls or features The provision of entry walls or features is prohibited on roads and open space unless otherwise approved by EDQ Development Assessment, DSDMIP.	As indicated
5.	Maintain the Approved Development Maintain the approved development (including landscaping, parking, driveways and other external spaces) generally in accordance with the approved plans and documents, and any other approval or endorsement required by these conditions.	At all times

	prepared in accordance with Manual of Uniform Traffic Control Devices (MUTCD), for any temporary part or full road closures of any Council or State road(s). Where subdivision plans are registered and a road reserve is created prior to the finalisation of the construction of the formed road, the road is permitted to remain physically closed to pedestrian and vehicular traffic in accordance with a certified TMP. b) Undertake all works generally in accordance with the certified TMP which must be current and available on site at all times.	b) At all times during construction for each stage
9.	Retaining Walls a) Submit to EDQ Development Assessment, DSDMIP detailed engineering plans, certified by a RPEQ, of all retaining walls on lot boundaries 1.0m or greater in height. Retaining walls shall be generally in accordance with <i>PDA Practice Note No. 10 – Plans of development</i> unless otherwise approved by EDQ Development Assessment, DSDMIP. b) Construct the works generally in accordance with the certified plans required under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP certification from an RPEQ that all retaining wall works 1.0m or greater in height have been constructed generally in accordance with the certified plans required under part a) of this condition.	a) Prior to commencement of site works for each stage b) Prior to survey plan endorsement for each stage c) Prior to survey plan endorsement for each stage
10.	Filling and Excavation a) Submit to EDQ Development Assessment, DSDMIP detailed earthworks plans, certified by a RPEQ, generally in accordance with AS3798 – 2007 <i>“Guidelines on Earthworks for Commercial and Residential Developments</i> and the approved concept plans. The certified earthworks plans shall: - include a geotechnical soils assessment of the site; - be consistent with the Erosion and Sediment Control plans; - provide full detail of areas where dispersive soils will be disturbed, treatment of dispersive soils and their rehabilitation; - provide full details of any areas where surplus soils are to be stockpiled.	a) Prior to commencement of site works for each stage

	b) Carry out the earthworks generally in accordance with the certified plans required under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP certification from a RPEQ that all earthworks have been carried out generally in accordance with the certified plans required under part a) of this condition and that any unsuitable material encountered has been treated or replaced with suitable material.	b) Prior to survey plan endorsement for each stage c) Prior to survey plan endorsement for each stage
11.	Roadworks a) Submit to EDQ Development Assessment, DSDMIP engineering design/construction drawings, certified by a RPEQ, for internal roads, including parking bays, traffic devices, temporary turnarounds and pedestrian footpaths generally in accordance with the following supporting / approved plans; i. Master Layout Plan Drg Nos. EDQ0000/M02 and M03 Issue P4 prepared by Northern Consulting dated 11/12/17; and ii. Typical Road Cross Sections Drg Nos. EDQ0000/M06 and M07 Issue P3 prepared by Northern Consulting dated 29/11/17. b) Construct the works generally in accordance with the certified plans submitted under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP 'as constructed' drawings, asset register and test results, certified by a RPEQ, in a format acceptable to the Council of all road works constructed in accordance with this condition.	a) Prior to commencement of site work for the relevant stage b) Prior to survey plan endorsement for the relevant stage c) Prior to survey plan endorsement for the relevant stage
12.	Water a) Submit to EDQ Development Assessment, DSDMIP detailed water reticulation design plans, certified by a RPEQ, generally in accordance with <i>PDA Guideline No. 13 Engineering standards – Water and Sewer</i> and the following supporting plans and approved document. i. Master Layout Plan Drg Nos. EDQ0000/M02 and M03 Issue P4 prepared by Northern Consulting dated 11/12/17; and ii. Water Supply and Wastewater Master Planning Report Ref No. 15-000745-02B Issue B prepared by Calibre Consulting and dated 01/03/16. b) Construct the works generally in accordance with the certified plans required under part a) of this condition.	a) Prior to commencement of works for each stage b) Prior to survey plan endorsement for each stage

	c) Submit to EDQ Development Assessment, DSDMIP 'as-constructed' plans, asset register, pressure and bacterial test results in accordance with Council current adopted standards.	c) Prior to survey plan endorsement for each stage
13.	Sewer a) Submit to EDQ Development Assessment, DSDMIP detailed sewer reticulation design plans, certified by a RPEQ, generally in accordance with PDA Guideline No. 13 Engineering standards – Water and Sewer and the following supporting plans and approved document. i. Master Layout Plan Drg Nos. EDQ0000/M02 and M03 Issue P4 prepared by Northern Consulting dated 11/12/17; and ii. Water Supply and Wastewater Master Planning Report Ref No. 15-000745-02B Issue B prepared by Calibre Consulting and dated 01/03/16. b) Construct the works generally in accordance with the certified plans required under part b) of this condition. c) Submit to EDQ Development Assessment, DSDMIP 'as-constructed' plans, asset register, pressure and CCTV results in accordance with Council current adopted standards.	a) Prior to commencement of works for each stage b) Prior to survey plan endorsement for each stage c) Prior to survey plan endorsement for each stage
14.	Compliance Assessment - Stormwater Management (Quality) a) Submit to EDQ Development Assessment, DSDMIP detailed stormwater treatment drawings, certified by a RPEQ, which achieve the outcomes of <i>Section 8 Construction Staging</i> of the approved whole of site Updated Stormwater Quality Management Plan. b) Construct the works generally in accordance with the certified plans required under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP 'as constructed' drawings, including an asset register, certified by a RPEQ, in a format acceptable to the Council.	a) Prior to commencement of works for each stage b) Prior to survey plan endorsement for each stage c) Prior to survey plan endorsement for each stage
15.	Stormwater Management (Quantity) a) Submit to EDQ Development Assessment, DSDMIP detailed design plans and hydraulic calculations, certified by a RPEQ, for the proposed stormwater drainage system generally in accordance with <i>PDA Guideline No. 13 Engineering standards – Stormwater quantity</i> and the following supporting plans. i. Master Layout Plan Drg Nos. EDQ0000/M02 and M03 Issue P4 prepared by Northern Consulting	a) Prior to commencement of works for each stage

	dated 11/12/17. b) Construct the works in accordance with the certified plans as required under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP "as constructed" plans including an asset register and test results, certified by a RPEQ, in a format acceptable to the Council.	b) Prior to survey plan endorsement for each stage c) Prior to survey plan endorsement for each stage
16.	Stormwater, Flooding and Drainage on Railway Corridor a) Stormwater management of the development must ensure no worsening or actionable nuisance to the railway corridor. b) Any works on the land must not: - Create any new discharge points for stormwater runoff onto the railway corridor; - Interfere with and/or cause damage to the existing stormwater drainage on the railway corridor; - Surcharge any existing culvert or drain on the railway corridor; - Reduce the quality of stormwater discharge onto the railway corridor.	At all times and prior to the commencement of use
17.	Street Lighting Design and install a street lighting system, certified by a RPEQ, to all roads, including footpaths/bikeways within road reserves. The design of the street lighting system must: - meet the relevant standards of the electricity supplier; - be acceptable to the electricity supplier as 'Rate 2 Public Lighting'; - be endorsed by Council as the Ergon 'billable customer'; - be generally in accordance with Australian Standard AS1158 – <i>'Lighting for Roads and Public Spaces'</i>.	Prior to survey plan endorsement for each stage
18.	Electricity Submit to EDQ Development Assessment, DSDMIP either: - written evidence from Ergon confirming that existing underground low-voltage electricity supply is available to the newly created lots; or - written evidence from Ergon confirming that the applicant has entered into an agreement with it to provide underground electricity services.	Prior to survey plan endorsement for each stage
19.	Telecommunications Submit to EDQ Development Assessment, DSDMIP documentation from an authorised telecommunication service provider confirming that an agreement has been entered into for the provision of underground telecommunication services to each new lot within the	Prior to survey plan endorsement for each stage

	walls will be a circumstance mentioned in section 94(2)(a) of the <i>Land Title Act 1994</i> (LTA) to permit the application and registration of high density development easements; a) Provide high-density development easements under Part 6 Division 4AA of the LTA in registrable form in respect of each affected lot to allow reciprocal rights for one or more of the following purposes (but only where those relevant circumstances will exist): i. support; ii. shelter; iii. projections; iv. maintenance; v. roof water drainage*; or b) Provide reciprocal easements created under Part 6 Division 4 LTA in registrable form for one or more of the above purposes (but only where those relevant circumstances will exist). *High-density development easements created under Part 6 Division 4AA of the <i>Land Title Act 1994</i> are not required to be identified on a plan of survey.	
28.	Small lot development easements for lots >300m² If a lot is more than 300m² and adjoins another lot irrespective of the size of the adjoining lot and the construction of adjacent proposed walls will be a circumstance mentioned in section 94(2)(a) of the <i>Land Title Act 1994</i>, provide reciprocal easements in registrable form for one or more of the following purposes (but only where those relevant circumstances will exist): i. support; ii. shelter; iii. projections; iv. maintenance; v. roof water drainage.	At or prior to survey plan endorsement for each stage
Affordable and Accessible Housing		
29.	Affordable Housing Submit to EDQ Development Assessment, DSDMIP an estimate of how the development will deliver across the PDA for Townsville: a) a minimum of 50% of all dwellings available for rent by households on or below the median annual income price and b) a minimum of 40% of all dwellings available for rent by households on a low to moderate income.	Prior to survey plan endorsement for each stage

30.	Accessible Housing	
	a) Prior to the sale of any lots nominated on the PoD nominated with a red cross (requiring additional accessible housing requirements), the developer must disclose the requirement to the purchaser that any dwelling constructed on these nominated lots must incorporate the additional design provisions. b) Provide to EDQ Development Assessment, DSDMIP written evidence that part a) of this condition has been complied with.	a) Prior to the sale of the nominated lots b) Within 3 months of the lot being sold
Infrastructure Charges		
31.	Infrastructure Contributions	
	Pay to MEDQ infrastructure charges in accordance with the Infrastructure Funding Framework (IFF) July 2018 indexed to the date of payment.	In accordance with the IFF for each stage

OTHER ADVICE

Railway Level Crossing Safety - Memorandum of Understanding for Railway Crossings

As per the *Memorandum of Understanding between the Local Government Association of Queensland and Queensland Rail and the Department of Transport and Main Roads with respect to the Management and Funding Responsibility for Level Crossing Safety*, the instigator of change in level of risk is responsible for any safety upgrades to a level crossing.

The development is likely to contribute to cumulative safety impacts to the Lakeside Drive level crossing of the North Coast Line. Given the change in risk to the level crossing is due to changes in land uses which have been authorised by EDQ, EDQ should continue to monitor the level of safety risk and number of reported level crossing issues as further development in the area is approved. Consideration should also be given to implementing improved control and safety measures, as required.

STANDARD ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this PDA development approval. For advice on other approvals that may be necessary in relation to your proposal, including approvals to undertake works external to the PDA, it is recommended that you seek professional advice.

**** End of Package ****